

JS 44 (Rev. 11/04)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

David F. Evans, Collin Finnerty, and Reade Seligmann

(b) County of Residence of First Listed Plaintiff New York County, NY
(EXCEPT IN U.S. PLAINTIFF CASES)(c) Attorney's (Firm Name, Address, and Telephone Number)
See next page.

DEFENDANTS

City of Durham, N.C.; Michael B. Nifong; Mark Gottlieb; Benjamin Himan; David Addison; Linwood Wilson; see next page for others.

County of Residence of First Listed Defendant Durham
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)
See next page

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

<input type="checkbox"/> 1 U.S. Government Plaintiff	<input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party)
<input type="checkbox"/> 2 U.S. Government Defendant	<input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Citizen of This State	<input type="checkbox"/> PTF 1	<input type="checkbox"/> DEF 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> PTF 4	<input type="checkbox"/> DEF 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance	<input type="checkbox"/> 310 Airplane	<input type="checkbox"/> 362 Personal Injury - Med. Malpractice	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 400 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 365 Personal Injury - Product Liability	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 368 Asbestos Personal Injury Product Liability	<input type="checkbox"/> 430 Banks and Banking	<input type="checkbox"/> 440 Commerce
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 370 Other Fraud	<input type="checkbox"/> 450 Deportation	<input type="checkbox"/> 460 Deportation
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 340 Marine	<input type="checkbox"/> 371 Truth in Lending	<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations	<input type="checkbox"/> 480 Consumer Credit
<input type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage	<input type="checkbox"/> 490 Cable/Sat TV	<input type="checkbox"/> 500 Selective Service
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 385 Property Damage	<input type="checkbox"/> 510 Other	<input type="checkbox"/> 520 Securities/Commodities/ Exchange
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 390 Other Personal Injury	<input type="checkbox"/> 522 Fair Labor Standards Act	<input type="checkbox"/> 530 Customer Challenge 12 USC 3410
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 360 Other Personal Injury	<input type="checkbox"/> 410 Voting	<input type="checkbox"/> 523 Labor/Mgmt. Relations	<input type="checkbox"/> 540 Environmental Matters
<input type="checkbox"/> 190 Other Contract	<input type="checkbox"/> 410 CIVIL RIGHTS	<input type="checkbox"/> 420 Employment	<input type="checkbox"/> 524 Labor/Mgmt. Reporting & Disclosure Act	<input type="checkbox"/> 550 Energy Allocation Act
<input type="checkbox"/> 195 Contract Product Liability	<input type="checkbox"/> 420 Housing/ Accommodations	<input type="checkbox"/> 430 Habeas Corpus:	<input type="checkbox"/> 525 Railway Labor Act	<input type="checkbox"/> 560 Freedom of Information Act
<input type="checkbox"/> 196 Franchise	<input type="checkbox"/> 440 Welfare	<input type="checkbox"/> 510 Motions to Vacate Sentence	<input type="checkbox"/> 526 Other Labor Litigation	<input type="checkbox"/> 570 IRS—Third Party 26 USC 7609
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 445 Amer. w/Disabilities- Employment	<input type="checkbox"/> 527 Mandamus & Other	<input type="checkbox"/> 527 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 580 Agricultural Acts
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 446 Amer. w/Disabilities- Other	<input type="checkbox"/> 530 Civil Rights	<input type="checkbox"/> 528 Taxes (U.S. Plaintiff or Defendant)	<input type="checkbox"/> 590 Economic Stabilization Act
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input checked="" type="checkbox"/> 440 Other Civil Rights	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 529 Other	<input type="checkbox"/> 600 Environmental Matters
<input type="checkbox"/> 240 Torts to Land		<input type="checkbox"/> 540 Mandamus & Other	<input type="checkbox"/> 530 Civil Rights	<input type="checkbox"/> 610 Energy Allocation Act
<input type="checkbox"/> 245 Tort Product Liability		<input type="checkbox"/> 550 Prison Condition	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 620 Freedom of Information Act
<input type="checkbox"/> 290 All Other Real Property			<input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 630 IRS—Third Party 26 USC 7609
<input type="checkbox"/> 410 CIVIL RIGHTS				<input type="checkbox"/> 640 Railroad Labor Act
<input type="checkbox"/> 420 Employment				<input type="checkbox"/> 650 Other
<input type="checkbox"/> 430 Housing/ Accommodations				<input type="checkbox"/> 660 Occupational Safety/Health
<input type="checkbox"/> 440 Welfare				<input type="checkbox"/> 670 Fair Labor Standards Act
<input type="checkbox"/> 445 Amer. w/Disabilities- Employment				<input type="checkbox"/> 680 Labor/Mgmt. Relations
<input type="checkbox"/> 446 Amer. w/Disabilities- Other				<input type="checkbox"/> 690 Labor/Mgmt. Reporting & Disclosure Act
<input type="checkbox"/> 440 Other Civil Rights				<input type="checkbox"/> 700 Railway Labor Act
				<input type="checkbox"/> 710 Other Labor Litigation
				<input type="checkbox"/> 720 Mandamus & Other
				<input type="checkbox"/> 730 Civil Rights
				<input type="checkbox"/> 740 Death Penalty
				<input type="checkbox"/> 750 Railroad Labor Act
				<input type="checkbox"/> 760 Fair Labor Standards Act
				<input type="checkbox"/> 770 Other Labor Litigation
				<input type="checkbox"/> 780 Mandamus & Other
				<input type="checkbox"/> 790 Civil Rights
				<input type="checkbox"/> 800 Death Penalty
				<input type="checkbox"/> 810 Railroad Labor Act
				<input type="checkbox"/> 820 Mandamus & Other
				<input type="checkbox"/> 830 Civil Rights
				<input type="checkbox"/> 840 Death Penalty
				<input type="checkbox"/> 850 Railroad Labor Act
				<input type="checkbox"/> 860 Mandamus & Other
				<input type="checkbox"/> 870 Civil Rights
				<input type="checkbox"/> 880 Death Penalty
				<input type="checkbox"/> 890 Railroad Labor Act
				<input type="checkbox"/> 900 Mandamus & Other
				<input type="checkbox"/> 910 Civil Rights
				<input type="checkbox"/> 920 Death Penalty
				<input type="checkbox"/> 930 Railroad Labor Act
				<input type="checkbox"/> 940 Mandamus & Other
				<input type="checkbox"/> 950 Civil Rights
				<input type="checkbox"/> 960 Death Penalty
				<input type="checkbox"/> 970 Railroad Labor Act
				<input type="checkbox"/> 980 Mandamus & Other
				<input type="checkbox"/> 990 Civil Rights
				<input type="checkbox"/> 1000 Death Penalty

V. ORIGIN

(Place an "X" in One Box Only)

 1 Original Proceeding 2 Removed from State Court 3 Remanded from Appellate Court 4 Reinstated or Reopened 5 Transferred from another district (specify) 6 Multidistrict Litigation

Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. §§ 1983, 1985, 1986, 1988(b)

Brief description of cause:

Federal civil rights & state common law claims arising from false rape allegations.

VII. REQUESTED IN COMPLAINT:

 CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:
JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

October 5, 2007

/s/Charles Davant IV

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

Additional Defendants: Steven Chalmers, Beverly Council, Ronald Hodge, Jeff Lamb, Stephen Mihaich, Michael Ripberger, Lee Russ, DNA Security, Inc., Richard Clark, Brian Meehan.

Attorneys for Plaintiffs David F. Evans & Collin Finnerty:

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